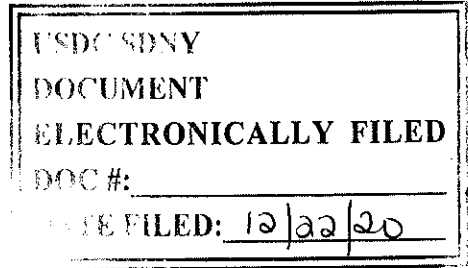


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA



-against

RICHARD MENDOZA,

Defendant.

-----X
KIMBA M. WOOD, District Judge:

ORDER
20 CR 514 (KMW)

The Court has received defendant's December 9, 2020 letter application for bail, and the Government's December 21, 2020 letter opposing that bail application. For the following reasons, the Court denies the bail application, because defendant, who is charged with participating in a narcotics conspiracy, has not overcome the presumption that no condition or combination of conditions will reasonably assure that he will appear as required. 18 U.S.C. §3142(e)(3)(A).

Defendant poses a risk of flight for several reasons.

First, he worked for an international drug trafficking organization that has the resources to facilitate his departure from the United States.


Second, he has a strong incentive to flee; he faces a ten-year statutory minimum if convicted; the evidence against him is strong, including, *inter alia*, that he was the sole driver of a vehicle containing multiple kilograms of fentanyl; that he stated to a colleague that he thought that law enforcement "didn't find shit" in the first stop of his vehicle; and that he appeared to have attempted to destroy one of his cellular phones when he thought his calls were being intercepted by law enforcement, demonstrating consciousness of guilt.

Defendant also seeks release based in part on the risks of contracting COVID-19 while incarcerated. He acknowledges, however, that he has already suffered a severe case of COVID-19; he is thus less at risk than most inmates.

The defendant's bail application is DENIED.

SO ORDERED.

Dated: New York, New York
December 22, 2020



KIMBA M. WOOD
UNITED STATES DISTRICT JUDGE